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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,591	11/21/2001	Joe Gundy	2804	2073

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PEDERSEN & COMPANY, PLLC
P.O. BOX 2666
BOISE, ID 83701

EXAMINER

CHENCINSKI, SIEGFRIED E

ART UNIT	PAPER NUMBER
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3692

DATE MAILED: 10/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/990,591	Applicant(s) GUNDY ET AL.	
	Examiner Siegfried E. Chencinski	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>2/11/2002</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 1 is objected to because of the following informalities:

claim element (c) (1) of claim 1 contains a spelling error. The phrase "payer station's identity and payor station's instructions for a financial document directed to said payee station". Merriam Webster's Collegiate Dictionary, 9th Edition, provides the following definitions for the three pay-related words appearing in this claim limitation, as follows:

Payee – "one to whom money is or is to be paid".

Payer (also payor) – "one that pays"; esp. the person by whom a bill has been or should be paid".

The inconsistent use of two different words meaning the same thing will be confusing to the ordinary practitioner of the art when reading Applicant's for the purpose of reducing it to practice. The remainder of Applicant's disclosure uses the word "payor". Therefore, Applicant is requested to change the word "payer" to "payor" in this claim element for the purpose of consistency with the remainder of the disclosure to avoid confusing the ordinary practitioner who may read this disclosure.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolling et al. (US Patent 5,920,847, hereafter Kolling) in view of Clark et al. (US Patent 5,890,140, hereafter Clark).

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Re. Claim 1 & 7, Kolling discloses a system and method for transferring financial documents over the Internet comprising:

- a payor station with an Internet connection; a payee station also with an Internet connection; a transfer agent station connectable over the Internet to both said payor station and said payee station, said transfer agent station having a database (implicit) containing: payer station's identity and payor station's instructions for a financial document directed to said payee station (implicit); a unique authorization code identified to said payor station's instructions for said financial document (implicit); and, payee station's identification and Internet e-mail address (implicit) (Col. 11, ll. 5-33);

Kolling does not explicitly disclose

- a payee station with a printer.
- so that said payee station can print said financial document according to said payor station's instructions as identified by said unique authorization code.

However, Clark discloses a member of a global financial services network with one or more printers for printing financial documents coming in over the network (Col. 13, ll. 53; Col. 26, ll. 66-67). It would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have the ability to have the payee station print said financial document according to said payor station's instructions as identified by said unique authorization code. Therefore, it would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the disclosures of Kolling with those of Clark for the purpose of offering a system and method for transferring financial documents over the Internet, motivated by a desire to provide a delivery system that integrates and delivers financial services to customers (Clark, Col. 1, ll. 24-25).

Re. Claims 2 & 9, Kolling discloses a system and method wherein said transfer agent station is not a bank (Col. 11, ll. 20-21 ... The consumer transmits ... to any other party connected to the network).

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Re. Claims 3, Kolling does not explicitly disclose a system and method wherein said database is an Structured Query Language (SQL) database. However, Clark discloses a database which is a Structured Query Language (SQL) database (Col. 6, l. 8).

Therefore, it would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the disclosures of Kolling with those of Clark for the purpose of offering a system and method for transferring financial documents over the Internet which also makes use of an SQL database, motivated by a desire to provide a delivery system that integrates and delivers financial services to customers (Clark, Col. 1, ll. 24-25).

Re. Claims 4 & 10, Kolling does not explicitly disclose a system and method wherein the payee station's Internet connection is a hyperlink connection. However, the examiner takes Official Notice the use of hyperlinks was a ubiquitously employed tool at the time of Applicant's invention. Therefore, it would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the disclosures of Kolling with those of Clark and Official Notice for the purpose of offering a system and method for transferring financial documents over the Internet which also makes use of hyperlinks, motivated by a desire to provide a delivery system that integrates and delivers financial services to customers (Clark, Col. 1, ll. 24-25).

3. Claims 5 & 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolling in view of Clark, as applied to claims 1 and 7 above, and further in view of Lundberg (US Patent 6,363,361 B1, hereafter Lundberg).

Re. Claims 5 & 11, neither Kolling nor Clark explicitly disclose a system and method wherein said financial document, when printed, contains standard optical character recognition (OCR) font. However, the use of OCR printing was well known at the time of Applicant's invention. For example, Lundberg discloses the use of OCR printers (Col. 7, ll. 47-51; Col. 18, ll. 53-54). Therefore, it would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the disclosures of Kolling with those of Clark and Lundberg for the purpose of offering a system and method for transferring financial documents over the Internet which also

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makes use of OCR printing, motivated by a desire to provide a delivery system that integrates and delivers financial services to customers (Clark, Col. 1, ll. 24-25).

Re. Claims 6 & 12, Kolling discloses the use of graphic interface files (GIF's) in a system and method for transferring financial documents over the Internet (). Neither Kolling nor Clark explicitly disclose a system and method wherein said optical character recognition (OCR) font is present as dominant default images in graphic interface files (GIF's) in said transfer agent station database. As stated in the rejection of claims 5 and 11, the use of OCR printing was well known at the time of Applicant's invention. It would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have had optical character recognition (OCR) font present as dominant default images in graphic interface files (GIF's) in said transfer agent station database for the use in this invention. Therefore, it would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the disclosures of Kolling with those of Clark, Lundberg and well known practices for the purpose of offering a system and method for transferring financial documents over the Internet which also makes use of OCR printing, motivated by a desire to provide a delivery system that integrates and delivers financial services to customers (Clark, Col. 1, ll. 24-25).

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kolling in view of Clark, as applied to claim 7 above, and further in view of Kravitz (US Patent 6,029,150).

Re. Claims 8, neither Kolling nor Clark explicitly disclose a method wherein said financial document is a check. However, Kravitz discloses a financial document which is an electronic check (Col. 3, ll. 30-46). Therefore, it would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the disclosures of Kolling with those of Clark for the purpose of offering a system and method for transferring financial documents over the Internet which also makes use of electronic checks, motivated by a desire to help businesses and consumers move their routine commercial activities into the electronic market place (Kravitz, Col. 1, ll. 11-13).

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Conclusion

5. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Siegfried Chencinski whose telephone number is (571)272-6792. The Examiner can normally be reached Monday through Friday, 9am to 6pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Hyung S. Souh, can be reached on (571) 272-6799.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks, Washington D.C. 20231


or (571)273-8300 [Official communications; including After Final communications labeled "Box AF"]

(571) 273-6792 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the address found on the above USPTO web site in Alexandria, VA.

SEC

October 2, 2006


FRANTZY POINVIL
PRIMARY EXAMINER
Ac 3628